



SHAKER HTS MUNI CT

2011 APR 18 P 1:56 Affidavit Of Fact**Averment Of Jurisdiction**

For The Record, To Be Read Into The Record

This is a formal Request and Demand for (Shaker Heights) Municipal Court to produce for the record, the physical documented 'Delegation of Authority', as Proof of Jurisdiction, as required by Law, per Article III, Section 1 of the United States Republic Constitution.

'Supreme Law of the Land'

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification by any Office or public Trust under the United States.

United States Supreme Court Decisions - Stare Decisis:**(Original Jurisdiction – Article III: Rights of Travel / Substantive Rights)**

The Right to Travel; The Right to Mode of Conveyance; The Right to Locomotion are all absolute rights, and the Police can not make void the exercise of rights. State v. Armstead, 60 s. 778, 779, and 781:

The right to Park or Travel is part of the Liberty of which the Natural Person, citizen cannot be deprived without "due process of law" under the Fifth Amendment of the United States Constitution. Kent v. Dulles 357 US 116, 125:

The State is prohibited from violating substantive rights. Owens v. City, 445 US 662 (1980); and it can not do by one power (eg. Police power) that which is, for example, prohibited expressly to any other such power (eg. Taxation / Eminent Domain) as a matter of law. US and UT v. Daniels, 22 p 159, nor indirectly that which is prohibited to it directly. Fairbanks v. US 181, US 283, 294, 300:

Traveling in an automobile on the public roads was not a threat to the public safety or health and constituted no hazard to the public, and such a traveler owed nothing more than "due care" (as regards to tort for negligence) to the public and the owner owed no other duty to the public (eg. State), he / she and his / her auto, having equal rights to and on the roadways / highways as horses and wagons, etc.; this same right is still substantive rule, in that speeding, running stop signs, traveling without license plates, or registration are not threats to the public

Exhibit 1

Evidences Submitted

safety, and thus, are not arrestable offenses. Christy v. Elliot, 216 I 131, 74 HE 1035, LRA NS 1905 – 1910: California v. Farley 98 CED Rpt. 89, 20 CA 3d 1032 (1971).

Obligations of State Courts:

The United States Supreme Court: *State courts, like federal courts, have a “constitutional” obligation to safeguard personal liberties and to uphold federal law. Stone v. Powell 428 US 465, 96 S. Ct. 3037, 49 L. Ed. 2d 1067.*

The United States Supreme Court: *The obligation of state courts to give full effect to federal law is the same as that of federal courts. New York v. Eno. 155 US 89, 15 S. Ct. 30, 39 L. Ed. 80.*

The United States Supreme Court: *An administrative agency may not finally decide the limits of its statutory powers; this is a judicial function. Social Security Board v. Nierotko. 327 US 358, 66 S. Ct. 637, 162 ALR 1445, 90 L. Ed. 719.*

“The law provides that once state and federal jurisdiction has been challenged, it must be proven.” **Main v. Thiboutot, 100 S. Ct. 2502 (1980).**

“ Once jurisdiction is challenged, the court cannot proceed when it clearly appears that the court lacks jurisdiction, the court has no authority to reach merits, but rather, should dismiss the action” **Melo v. U.S. s05 Fzd 1026**

Traffic: Commerce, trade, sale or exchange of merchandise, bills, money and the like.- Bouviers’ law Dictionary. I am not for the record in **Traffic**, a **Driver** and in a **Motor Vehicle**.

The claim & exercise of Constitutional rights cannot be converted into a crime. **Miller v. Kansas 230 F 2nd 486, 489:**

For a crime to exist there must be an injured party (Corpus Delicit). There can be no sanction or penalty imposed on one because of this Constitutional Right. **Shere v. Cullen 481 F.**

Notice: Produce for the record a formal Complaint (From the injury Party) that I injury anyone and/or cause any harm to anyone. “ (Corpus Delicit)”

“No State entity has the power to allow or deny passage on the highways , byways, nor waterways...transporting his vehicles & personal property for either recreation or business, but by being subject only o local regulation, i.e., safety, caution, traffic lights, speed limits, etc. TRAVEL IS NOT A PRIVILEGE REQUIRING LICENSING, VEHICLE REGISTRATION, OR FORCED INSURANCE.” – Chicago Coach Co. v. City of Chicago, 337 Ill.

The true Supreme court makes it clear that **a license relates to qualifications to engage in profession, business, trade or, or calling;** thus, when merely traveling without compensation or profit, outside of business enterprise or adventure with the corporate sate. **NO LICENSE IS REQUIRED OF THE NATURAL INDIVIDUAL TRAVELING FOR SEASONAL BUSINESS, PLEASURE AND TRANSPORTATION.” –Wingfield v. Fielder 2d Ca.**

Exhibit 1

Universal Declaration of Human Rights (1948)

Article 13

- 1.) **Everyone has the right to freedom of movement and residence within the border of each state.**

Lawful Notice: I, the Natural Person/Man is not in **Traffic**, A. **Driver** in a **Motor Vehicle** these term has legal definition(s) which for the record does not apply to me. Also for the record I'm challenging Jurisdiction for the record, on the record, and let the record show where do u derived your authority in this matter. With Supporting Case Law(s) Stare Decisis for Right to Travel and supporting my claim to the court to produce on the record a certified properly delegation of Authority Order/Certificate from Congress as a Lawful Discovery.

To all Judges, Magistrate, Police Officer(s) Public Officials, Employee(s), Agents who took an Oath to support the United States Republic Constitution, Ohio Republic Constitution. Let it be noted for the record, on the record and let the record show a response is required 7 days from receipt of this letter. If no copy of the Certified Delegation of Authority Order; Rebuttal counter affidavit is received within the specified time/ frame this Affidavit of Fact - Writ of Discovery shall stand as Law affirming that this court does not have Jurisdiction as per Article III, Section II of the United States Constitution and Demand for Dismissal.

I Am:

Arman M. Hason Reg aka. K. Williams
Witness: Natural Person, In Propria Persona (and not Pro Se) - Authorized Representative
All Rights Reserved: Special Appearance under T.D.C.

Notice to Agent(s) is Notice to Principle.

Exhibit 1